

# Snohomish County Superior Court Clerk

## Fax Filing Procedures

### Updated January, 2014

You may file documents with Snohomish County Superior Court Clerk by facsimile (fax) transmission, pursuant to provisions of General Rule 17 (GR 17) (A copy of this rule is enclosed.)

*Fax is available only for filing documents to be placed in the court file. The Clerk does not accept faxes for correspondence requests, working papers, Ex Parte mail, etc. Unacceptable faxes will be discarded.*

#### **REGISTER TO FILE BY FAX:**

- 1) Provide the name of the person or firm you are registering.
- 2) Provide voice and fax phone numbers and the name of a fax contact person.
- 3) You can download forms from the Clerk's website or have the following faxed or mailed to you: Snohomish County Fax Filing Procedures, Fax Cover Sheet and Fax Registration Form. A **FAX COVER SHEET** must be submitted with *each* document you fax.
- 4) After you have registered, you may file by fax. If you receive an error message when attempting to file by fax, please call the Snohomish County Clerk at (425) 388-3466.

**FAX FEES AND PAYMENT:** You are responsible for computing the fee payable for your fax transmittal, recording this on the FAX COVER SHEET. Failure to pay fees will terminate your registration.

The "fax fee" is **\$5.00 for the first page and \$1.00 for each additional page per document, not counting the FAX COVER SHEET.** Payment is due within 5 working days of the fax transmission. You pay by immediately sending a check or money order to: **Snohomish County Superior Court Clerk, M/S 605, 3000 Rockefeller, Everett, WA 98201. Be sure to include a copy of the FAX COVER SHEET so your payment can be identified.**

**HOURS:** Fax filings are accepted anytime; they are processed during the normal working hours of the Clerk, 8:00 a.m. to 5:00 p.m. Pacific Time, Monday through Friday. When a filing is received after 5:00 p.m., it is file-stamped the next court day. *There is only one fax line in operation; do not count on line availability at peak hours!*

**DOCUMENT SPECIFICATIONS:** *You may file only letter size (8 1/2 inch by 11 inch) paper.* Documents should have normal margins for legal documents. Documents requiring filing fees may **not** be faxed; these include, but are not limited to, original petitions or complaints, jury demands, writs, notices of appeal, and petitions to modify child support.

**REQUIRED INFORMATION:** Be sure that each document filed by fax, on the document itself, shows: 1) name of person/firm sending; 2) where the original document is located; and 3) a label reading "**SENT on \_\_\_\_\_ (DATE) VIA FAX FOR FILING IN SNOHOMISH COUNTY SUPERIOR COURT**" in the bottom margin of the first page. *You are required to keep the original document you have filed by fax until at least 60 days following case disposition.*

**OTHER REQUIREMENTS:** Send each document with a separate FAX COVER SHEET; the Clerk staples together all pages under each cover sheet and treats this as one document. **DO NOT file original wills by fax.** Each FAX COVER SHEET serves as an invoice and is not filed in the legal record. The sender of a fax filing is responsible for the document's legibility, authenticity, and completeness. *You may not call the Clerk to inquire whether a fax transmission was received.* The Fax Clerk monitors transmissions to verify that the number of pages received matches the number stated on the FAX COVER SHEET and to be sure that all pages are complete. The Clerk contacts the sender when a transmission error is seen at the time of printing the document.

## GR 17

### FACSIMILE TRANSMISSION

#### **(a) Facsimile Transmission Authorized; Exceptions.**

(1) Except as set forth in subsection (a)(5), the clerks of the court may accept for filing documents sent directly to the clerk or to another by electronic facsimile (fax) transmission. A fax copy shall constitute an original for all court purposes. The attorney or party sending the document via fax to the clerk or to another shall retain the original signed document until 60 days after completion of the case. Documents to be transmitted by fax shall bear the notation: "SENT on \_\_\_\_ (DATE) VIA FAX FOR FILING IN \_\_\_\_\_ COURT."

(2) If a document is transmitted by facsimile to another for filing with a court, the person responsible for the filing must attach an original affidavit as the last page of the document. The affidavit must bear the name of the court, case caption, case number, the name of the document to be filed, and a statement that the individual signing the affidavit has examined the document, determined that it consists of a stated number of pages, including the affidavit page, and that it is complete and legible. The affidavit shall bear the original signature, the printed name, address, phone number and facsimile number of the individual who received the document for filing.

(3) The clerk of the court may use fax transmission to send any document requiring personal service to one charged with personally serving the document. Notices and other documents may be transmitted by the clerk to counsel of record by fax.

(4) Clerks may charge reasonable fees to be established by the Office of the Administrator for the Courts, for receiving, collating, and verifying fax transmissions.

(5) Without prior approval of the clerk of the receiving court, facsimile transmission is not authorized for judge's working copies (courtesy copies) or for those documents for which a filing fee is required. Original wills and negotiable instruments may not be filed by facsimile transmittal.

(6) *Facsimile Machine Not Required.* Nothing in this rule shall require an attorney or a clerk of a court to have a facsimile machine.

#### **(b) Conditions.**

(1) Documents transmitted to the clerk by fax shall be letter size (8 1/2 by 11 inches). Documents over 10 pages in length may not be filed by fax without prior approval of the clerk.

(2) Any document transmitted to the clerk by fax must be accompanied by a fax transmittal sheet in a format prescribed by the court. The form must include the case number (if any), case caption, number of pages, the sender's name, the sender's voice and facsimile telephone numbers, and fax fee remittance certification. Transmittal sheets are not considered legal filings.

(3) A document transmitted directly to the clerk of the court shall be deemed received at the time the clerk's fax machine electronically registers the transmission of the first page, regardless of when final printing of the document occurs, except that a document received after the close of normal business hours shall be considered received the next judicial day. If a document is not completely transmitted, it will not be considered received. A document transmitted to another for filing with the clerk of the court will be deemed filed when presented to the clerk in the same manner as an original document.

(4) Court personnel will not verify receipt of a facsimile transmission by telephone or return transmission and persons transmitting by facsimile shall not call the clerk's office to verify receipt.

(5) The clerk shall neither accept nor file a document unless it is on bond paper.

(6) The clerk shall develop procedures for the collection of fax service fees for those documents transmitted directly to the clerk. Nonpayment of the fax service fee shall not affect the validity of the filing.

(7) Agencies or individuals exempt from filing fees are not exempt from the fax service fees for documents transmitted directly to the clerk.